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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 799 OF 2007

Mr. R.N. Kakatkar ... Petitioner

V/s

KSB Pumps Ltd. ... Respondent

Mr. Kiran Bapat for the petitioner.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 13TH APRIL, 2007.

P.C.:

1. The petitioner has filed this petition challenging the order of the Labour Court passed in Complaint (ULP) No. 1 of 1998 and the order passed in Revision Application (ULP) No. 169 of 2005,

2. The petitioner has filed the complaint under Section 28 read with Item 1(a), (b), (d) and (f) of Schedule IV of the MRTU & PULP Act before the Labour Court. The Labour Court came to the conclusion that the petitioner was not an employee as defined under Section 3(5) of the MRTU & PULP Act and under Section 2(s) of the I.D. Act. The Labour Court also concluded that the petitioner had not been forced to resign as complained by him. The

Industrial Court in revision took the same view considering the judgment of the Labour Court.

3. In my view, there is no need to interfere in the findings of fact recorded by both the Courts below that the petitioner is not an employee.

4. Hence, the petition stands dismissed.

(SMT. NISHITA MHATRE, J.)